

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

DJIBY NAM,

Plaintiff

v.

365 DAYS, INC. d/b/a 7-ELEVEN,

Defendant.

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Case No.: RWT 13cv546

MEMORANDUM OPINION AND ORDER

On February 20, 2013, Plaintiff, proceeding *pro se*, initiated this case by filing a Complaint. ECF No. 1. On December 23, 2014, this Court entered a Scheduling Order. ECF No. 20. The Order required that discovery be completed by May 7, 2015, and that parties file a status report on that date. *Id.* at 1–2. It further required that all motions for summary judgment be filed on or before June 8, 2015. *Id.* at 2. The Order stipulated that “[n]o changes in the schedule set forth herein will be permitted, unless authorized by the Court for good cause shown.” *Id.* To date, the parties have neither completed discovery nor made any of the filings required by the Scheduling Order, nor have they shown good cause for their failure to so act.

“A schedule may be modified only for good cause and with the judge’s consent.” Fed. R. Civ. P. 16(b)(4). The parties here have shown complete disregard for the Scheduling Order in their failure to complete discovery or make any of the required filings.¹ Given that the original

¹ On October 27, 2015, Magistrate Judge Day, to whom this case was referred for discovery, entered an Order denying Plaintiff’s most recent motion to compel and for sanctions, and noting that the parties had failed to follow local and federal rules governing discovery. ECF No. 35 at 4.

scheduling dates have long since passed, the Court will amend the Scheduling Order on its own motion.

Parties are cautioned that these deadlines will not again be extended, and that any further violations of the Scheduling Order may result in sanctions, including the imposition of fees and costs, striking of pleadings, dismissal of the action, rendering of a default judgment against the disobedient party, or treatment of the failure to obey an order as contempt of court. Fed R. Crim. P. 16(f), 37(b)(2)(A)(ii)-(vii).

Accordingly, it is this 6th day of November, 2015, by the United States District Court for the District of Maryland, **ORDERED** that the following schedule shall control the progress of the case:

<u>Date</u>	<u>Action</u>
February 26, 2016	Deadline for all depositions and other discovery.
February 26, 2016	Parties shall file a status report discussing: (1) whether or not discovery has been completed; (2) whether or not any motions are pending; (3) whether or not any party intends to file motions; (4) the anticipated length of trial; and (5) the possibility that the case will be settled.
March 25, 2016	Deadline for filing any motions for summary judgment and supporting papers.

/s/
ROGER W. TITUS
UNITED STATES DISTRICT JUDGE